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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* DANIEL R. TRETTER and NIRANJAN DAMERA-VENKATA

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Appeal 2009-012756  
Application 10/696,888  
Technology Center 2600

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Before, MAHSHID D. SAADAT, ROBERT E. NAPPI, and ELENI  
MANTIS MERCADER, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) of the rejection  
of claims 1 through 42.

We reverse.

INVENTION

The invention is directed to a method of displaying an image where  
the image is on a first grid type and generating a first and second sub-frame

on a different grid type. See page 2 of Appellants' Specification. Claim 1 is representative of the invention and is reproduced below:

1. A method of displaying an image with a display device, the method comprising:
  - receiving image data for the image on a first type of grid;
  - generating a first sub-frame and a second sub-frame corresponding to the image data, the first and the second sub-frames each generated on a second type of grid that is different than the first type of grid, wherein one of the first type of grid and the second type of grid is a non-rectangular grid; and
  - alternating between displaying the first sub-frame in a first position and displaying the second sub-frame in a second position spatially offset from the first position.

#### REFERENCES

Tanaka	JP 54-136135	Oct. 23, 1979
Messing	US 6,466,618 B1	Oct. 15, 2002
Gibbon	US 2003/0020809	Jan. 30, 2003
Nomura	US 6,990,249 B2	Jan. 24, 2006
Park, Sung "Super-Resolution Image Reconstruction: A Technical Overview," IEEE Signal Processing Magazine, May 2003, pp. 21-36		

#### REJECTIONS AT ISSUE

The Examiner has rejected claims 1 through 5 and 10 through 14 under 35 U.S.C. § 103(a) as being unpatentable over Gibbon in view of Messing. The Examiner's rejection is on pages 3 through 6 of the Answer.<sup>1</sup>

The Examiner has rejected claims 6, 7, 15, 16, 19 through 24, 27 through 34, and 37 through 40 under 35 U.S.C. § 103(a) as being

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<sup>1</sup> Throughout this decision we refer to the Answer dated November 5, 2007.

unpatentable over Gibbon in view of Messing and Park. The Examiner's rejection is on pages 6 through 11 of the Answer.

The Examiner has rejected claims 8, 9, 17, 18, 25, 26, 35, 36, 41, and 42 under 35 U.S.C. § 103(a) as being unpatentable over Gibbon in view of Messing, Park, Nomura and Tanaka. The Examiner's rejection is on pages 11 and 12 of the Answer.

### ISSUE

Appellants argue on pages 8 through 10 of the Brief that the Examiner's rejection of independent claim 1 is in error.<sup>2</sup> These arguments present us with the issue: did the Examiner error in finding that the combination of Gibbon in view of Messing teaches receiving an image on a first grid type and generating a first and second sub-frame on a second type of grid where one of the two grids is not rectangular?

Appellants' arguments directed to independent claims 10, 19, 27, 31 and 37 present us with similar issues.

### ANALYSIS

We have reviewed Appellants' arguments in the Briefs and we concur with Appellants' conclusion that the Examiner erred in finding that the combination of Gibbon in view of Messing teach receiving an image of a first grid type and generating a first and second sub-frame for display on a second type of grid where one of the two grids is not rectangular.

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<sup>2</sup> Throughout this decision we refer to the Brief dated August 1, 2007, and Reply Brief dated January 4, 2008.

The Examiner finds that Gibbon teaches receiving a picture in one grid type (high resolution) and generating sub-frames on a different grid type (low resolution), but does not find that one of the two grids is non-rectangular. Answer 3-4. Further, the Examiner finds that Messing teaches an image processing system in which there are images on rectangular grids and a diamond (quincunx) shaped grid. Answer 4, 14. Based upon these findings, the Examiner concludes that receiving an image on a first grid type and generating a first and second sub-frame for display on a second type of grid where one of the two grids is not rectangular is obvious. We disagree with the Examiner's rationale. While Messing discloses use of a quincunx, diamond shaped grid, this is in the context of generating a color field which is then subject to a CCDDSP algorithm which ultimately produces an image for display which is on a rectangular grid. *See Figures 6, 7, 8, col. 6, ll. 25-34.* Thus, the quincunx, diamond shaped grid in Messing is only for a color field used in the processing of an image to be displayed and not in a sub-frame for display as claimed. Accordingly, we will not sustain the Examiner's rejection of independent claim 1.

Independent claims 10, 19, 27, 31 and 37 similarly recite limitations directed to the input image being of one grid type and the displayed image being of another grid type where one of the two grid types is non-rectangular. The Examiner's rejections of these claims rely upon the same rationale as discussed with respect to claim 1. Accordingly, we will not sustain the Examiner's rejection of claims 10, 19, 27, 31 and 37 for the same reasons as discussed with respect to claim 1.

The Examiner's rejections of the dependent claims also rely upon the same rationale concerning the teachings of Gibbon and Messing (and does not find that the additional references make up for the deficiency noted in

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the rejection of claim 1). Accordingly, we will not sustain the Examiner's rejections of the dependent claims for the same reasons as discussed with respect to claim 1.

Appellants have persuaded us of error in the Examiner's decision to reject claims 1 through 42.

#### ORDER

The decision of the Examiner to reject claims 1 through 42 is reversed.

REVERSED

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